



Case No. CRM-P15F/P

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled BONE REPAIR PUTTY the specification of which

(check one) 1. X is attached hereto.

2. _____ was filed on _____ as Application Serial No. _____ was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Number _____ Country _____ Day/Mo/Yr Filed _____

Priority Claimed: Yes _____ No X

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

I hereby claim the benefit under Title 35, United States Code, 119(e) of any Provisional United States application(s) listed below.

Provisional Application Serial No. 60/399,851 Filing Date 31 July 2002

Application Case Serial No. None Filing Date _____

Status--patented, pending, abandoned: _____

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

- | | |
|------------------------------|----------------------|
| 1. <u>James B. Bieber</u> | <u>Reg No. 28054</u> |
| 2. <u>Douglas J. Hura</u> | <u>Reg No. 33249</u> |
| 3. <u>Dale R. Lovercheck</u> | <u>Reg No. 28638</u> |
| 4. _____ | <u>Reg No. _____</u> |
| 5. _____ | <u>Reg No. _____</u> |

Address all telephone calls to James B. Bieber

At telephone no. (717) 849-4514

Address all correspondence to James B. Bieber, Esquire

Firm DENTSPLY INTERNATIONAL INC.

Address 570 West College Avenue

City/State/Zip York, PA 17404

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Brent L. Atkinson

Inventor's signature *Brent L. Atkinson* Date 11-5-03

Residence 1945 Applewood Drive, Lakewood Colorado 80215

Citizenship USA

Post Office Address: 1945 Applewood Drive, Lakewood Colorado 80215

Full name of second inventor Tracey S. Hanks

Inventor's signature *Tracey S. Hanks* Date 11/25/03

Residence 3300 West Florida Avenue #75, Denver Colorado 80219

Citizenship USA

Post Office Address: 3300 West Florida Avenue #75, Denver Colorado 80219



PATENT
CASE: CRM-P15F/P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application: Atkinson et al

Serial No. 10/628,692

Art Unit: 1651

Filed: 7/28/2003

Examiner:

For: Bone Repair Putty

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is in response to the Notice to File Missing Parts of Nonprovisional Application, Filing Date Granted.


Submission of Executed Declaration

Submitted herewith is an executed Declaration for the above-captioned patent application.

Also enclosed is form PTO-1533: Notice to File Missing Parts of Nonprovisional Application, Filing Date Granted (Copy to be returned with response).

A fee letter accompanies this submission.

Respectfully submitted,


James B. Bieber
Patent Attorney Reg. No. 28054

DENTSPLY INTERNATIONAL INC.
570 West College Avenue
York, Pa 17405-0872
(717) 845-7511 Ext. 4514

Enclosures
November __, 2003

Certificate of Mailing


I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on

11/6/03

Date


Signature

Teresa A. Euculano

Typed or printed name of person signing certificate



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FEE LETTER

Please charge Deposit Account No. 04-0780 the amount of \$130.00 for the surcharge of filing an executed Declaration.

Please charge any other fee(s) due on the above captioned patent application, and/or credit any overpayment to Deposit Account No. 04-0780.

This letter is submitted herewith in triplicate.

Respectfully submitted,

James B. Bieber
Patent Attorney Reg. No. 28054

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